

September 14, 2017

His Excellency, **Marcel de Souza**

President, the ECOWAS Commission

His Excellency, **Alpha Conde**

Chairperson, African Union (AU)

Your Honour, **Justice Sylvian Ore**

President, African Court on Human and People's Rights (ACHPR)

Advocate **Faith Pansy Tlakula**

Commission Chairperson, African Commission for Human and Peoples' Rights

His Excellency, **Joaquín Alexander Maza Martelli**

President, United Nations Human Rights Council (UNHRC)

Professor **David Kaye**

UN Special Rapporteur on the Promotion and Protection
of the Right to Freedom of Opinion and Expression

Your Excellencies,

WORKING TO KEEP THE INTERNET ON IN TOGO AND THE REST OF AFRICA

As a coalition of civil society groups working for the protection of digital rights in Africa, we write regarding the disruption to Internet and Telecommunications services in Togo between Tuesday, September 5, 2017, and Sunday, September 10, 2017, to seek your support in ensuring that Internet and Telecommunications services are never again deliberately disrupted in Togo and the rest of the continent.

In Togo, where the protests that authorities used as a pretext to order the shutdown have not abated, we kindly request that Your Excellencies use your offices to ensure that a repeat of the Internet shutdown does not happen.

Our confidence in approaching your offices for support on this matter is strengthened by the intervention in the political impasse in the Gambia in December 2016 and the resulting shutdown of

Internet and Telecommunication services. In that instance, the country had a successful political transition and all communications services were restored.

Once again, as has become a harmful practice in some African countries in recent years, access to the Internet and Telecommunications services were disrupted in Togo in response to legitimate protests by citizens demanding greater political participation. In 2016 there were Internet disruptions in at least eleven African nations¹. The number of disruptions this year, as of September 2017, is seven – Cameroon, Morocco, Mali, Senegal, South Sudan, Ethiopia and Togo. We kindly request that Your Excellencies intervene to make Internet disruptions a thing of the past in Africa.

Internet shutdowns violate basic tenets of human rights and international law. They are not only illegal, but are also not a proportionate response to lawful citizen demands for democracy. Besides, Internet and Telecommunications services disruptions are dangerous because they lead to lack of information which leaves people isolated and cut off from essential services such as banking, healthcare and other opportunities for personal and community development².

Internet shutdowns also have economic consequences. Access Now, a civil society organization working for the defence of Digital Rights, estimated the cost of the January to April 2017 Internet shut down to the Cameroonian economy at \$4.5 million. An analysis of the first 30 days of the Internet shutdown in Cameroon revealed it cost \$1,446,000 (or FCFA 880m), a sum large enough to finance the total monthly municipal expenses across all 58 municipal divisions in Cameroon, with enough spare to fund a further 18 such divisions. Access Now also calculated that the Internet shut down in Togo cost the country's economy a minimum of \$1.8m, excluding mobile money, the informal sector and disrupted supply chains. This translates to a sum of \$300,000 per day in a country with GDP per capita of \$578. The Global Network Initiative (GNI), which is a coalition of Telecommunication companies, civil society, academics and other partners working to defend digital rights globally, also published a one-page guide for policy makers explaining the consequences of Internet shutdowns. This policy guide can be accessed in English³ and French⁴. It goes without saying that Togo is a country that cannot afford an Internet shutdown of any duration because of the negative impact on its economy and livelihoods of millions of people. Rather, we believe that the human rights to freedom of expression and association can be respected and protected in Togo, online as offline, in ways that strengthen both political and economic institutions in the country and region.

¹ Digital Rights in Africa Report 2016, <http://bit.ly/2eKW3k8>

² Sophie Ngassa, "The Damage caused by the 93 Day Internet Blackout in Cameroon". Slate, August 17 2017. <http://slate.me/2y0blqf>

³ Global Network Initiative, "Weighing the Impact of Network shutdowns and Service disruptions". <http://bit.ly/2xVoXCj>

⁴ Global Network Initiative, "Weighing the Impact of Network shutdowns and Service disruptions" <http://bit.ly/2xVa6aY>

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We hereby solicit the support of Your Excellencies to bring a halt to the spate of Internet shutdowns in Africa and to publicly declare your commitment to this effort. Also, we urge that as the political situation in Togo unfolds in the coming days and weeks, Your Excellencies use your offices to ensure that the Internet and Telecommunication services are kept on.

Should Your Excellencies be willing, we are ready to meet with you to discuss how we can all work together to ensure that the Internet, rather than being shut down in Africa, is kept on to deliver on its awesome development potential.

Sincerely,

'Gbenga Sesan

Executive Director

On behalf of:

Paradigm Initiative

Kenya ICT Action Network (KICTANet)

Unwanted Witness Uganda

Witness

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Kathleen Ndongmo (Anqhore, Cameroon)

Ya Mallen Jagne (Think Young Women, The Gambia)

Jonction, Senegal

Omar Darboe (Internet Society, The Gambia Chapter)

Public and Private Development Centre, Nigeria

Africtivistes

Fantsuam Foundation, Nigeria

World Wide Web Foundation

DigitalSENSE Africa (DSA) Media

Access Now

Committee to Protect Journalists (CPJ)

PEN America

Ghanaian Centre of PEN International

Institut des TIC pour le développement (INTIC4DEV)

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Bahrain Watch

Sunlight Foundation

Reporters Without Borders